



620 Eighth Avenue
New York, New York 10018
(212) 218-5500
fax (212) 218-5526
www.seyfarth.com

Writer's direct phone
(212) 218-5517

Writer's e-mail
lalmon@seyfarth.com

July 16, 2010

VIA ECF

Honorable Sandra J. Feuerstein
United States District Court
Eastern District of New York
Long Island Federal Courthouse
100 Federal Plaza, Courtroom 1010
Central Islip, New York 11722

Re: *Claudette Fraser v. MediSys Health Network, Inc., et al.*,
Case No. 10-cv-1342 (SJF) (ARL)

Dear Judge Feuerstein:

This firm represents Defendants in the above-referenced matter. As noted in our July 9, 2010 letter to the Court, Defendants intend to file their motion to dismiss Plaintiff's Amended Complaint in its entirety on or before July 23, 2010. Defendants write to respectfully request a ten-page increase to thirty-five (35) pages of the Court's twenty-five-page limit on briefs in connection with its motion to dismiss.

In her voluminous Amended Complaint, Plaintiff asserts twelve separate causes of action against Defendants, including a number of complex statutory claims against Defendants, such as claims under the Fair Labor Standards Act, the New York Labor Law, and the Racketeer Influenced and Corrupt Organizations Act, as well as numerous common law claims. Plaintiff's Amended Complaint numbers thirty-six pages and 229 paragraphs in length. Plaintiff seeks to assert her FLSA claims as a collective action pursuant to 29 U.S.C. § 216(b) and her remaining claims as a class action pursuant to Fed. R. Civ. P. 23.

Defendants intend to move to dismiss each of the twelve claims asserted in Plaintiff's Amended Complaint. Their motion addresses complicated issues of law and requests that the Court consider a number of separate grounds for dismissal of the action. Defendants respectfully submit that the requested additional pages are required to fully address the numerous claims contained in Plaintiff's lengthy Amended Complaint and to adequately set forth for the Court the complex legal issues presented by this case and the multiple legal grounds for dismissal. While Defendants have endeavored to proceed as efficiently as possible, they believe that the information contained in the additional pages is necessary to the adjudication of the motion.



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Therefore, Defendants respectfully request that the Court grant their request for leave to file a memorandum of law of no more than thirty-five (35) pages in support of their motion to dismiss the Amended Complaint.

Thank you for Your Honor's consideration of this request..

Respectfully submitted,

SEYFARTH SHAW LLP

s/ Lorie E. Almon

Lorie E. Almon

cc: Justin M. Cordello (by ECF)
Kristin McGurn (by email)
Anjanette Cabrera (by ECF and email)
Mary Ahrens (by email)